

REMARKS/ARGUMENTS

Claims 1-61 were previously pending. As noted above, claim 22 has been amended. Support for these amendments may be found throughout the Specification. Thus, claims 1-61 are now pending.

Applicants respectfully request reconsideration of this application based on the following remarks.

Claim Rejections – 35 USC § 101

Claims 22-40 are rejected under 35 USC § 101 because the claimed invention is directed to non-statutory subject matter. Applicants respectfully traverse this rejection.

Claim 22 has been amended to clarify that the apparatus/system include tangible computer readable storage medium, as suggested by the Examiner. The Applicants respectfully submit that claims 31-40 are directed to a mobile station apparatus, which is a tangible item. Therefore, the Applicants submit that claims 31-40 are directed to patentable subject matter.

Therefore, based on the foregoing, Applicants respectfully request that the Examiner withdraw the rejection of claims 22-40 under 35 USC § 101.

Claim Rejections – 35 USC § 103

Claims 1-61 are rejected under 35 USC § 103(a), as being unpatentable over Faccin et al. (US Patent No. 6,879,690 B2, hereinafter “Faccin”) in view of Shibata (US Patent Publication No. 2004/0019787 A1, hereinafter “Shibata”). Applicants respectfully traverse this rejection.

To establish a *prima facie* case of obviousness, all of the claimed features must be taught or suggested by the references.¹

The Federal Circuit has consistently held that

... ‘*virtually all [inventions] are combinations of old elements.*’
Therefore an examiner may often find every element of a claimed invention in the prior art. *If identification of each claimed element in the prior art were sufficient to negate patentability, very few patents would ever issue.* Furthermore, rejecting patents solely by finding prior art corollaries for the claimed elements

¹ MPEP, section 2142.

would permit an examiner to use the claimed invention itself as a blueprint for piecing together elements in the prior art to defeat the patentability of the claimed invention. ***Such an approach would be 'an illogical and inappropriate process by which to determine patentability.'***

In re Rouffet, 149 F.3d 1350, 1357, 47 U.S.P.Q.2d 1453 (Fed. Cir. 1998) (citations omitted).

Independent claims 1, 22, and 41 are directed to a method of obtaining secure registration by a memory module (UICC) in a multicast-broadcast-multimedia system (MBMS) / a memory module / a computer readable medium embodying a method of obtaining secure registration by a memory module (UICC) in a multicast-broadcast-multimedia system (MBMS) comprising at least the step of, or means for:

generating a radio access network key (RAK) as a function of the random number and a key selected from the group consisting of a public land mobile network key (PK) and a broadcast access key (BAK); and generating temporary registration key (RGK) as a function of the RAK and a user identification number.

Faccin teaches generating a temporary shared key (TSK) at a home domain using a long-term shared key and a random number. See column 8, lines 7-9 of Faccin. Faccin defines the long term shared key as one "shared between the Mobile Node and its Home Domain: it is e.g. configured at the time of subscription." See column 7, line 66- column 8, line 1 of Faccin.

Faccin does not disclose or suggest at least generating a radio access network key (RAK) as a function of a random number and "a key selected from the group consisting of a public land mobile network key (PK) and a broadcast access key (BAK)." Instead, the long term key of Faccin is similar to the permanent user-specific registration key (RK) discussed in paragraph 1016 of the present application.

Further, the Office Action admits that Faccin does not disclose or suggest generating a temporary registration key (RGK) as a function of the RAK and a user identification number. The Office Action relies on Shibata for this feature. However, Shibata discloses that a "user is able to input both of the received access key and the user ID at the navigation terminal 5 so as to be sent to the server system 1 by way of the Internet 1." See Shibata paragraph 62. The user account is issued to the user using either a communication terminal or "via a letter delivered by mail or notification by the telephone." See Shibata paragraph 60. In paragraph 61, Shibata

continues that "the user is able to input the received user accounts (i.e., user ID, password and license number) into the navigation terminal 5 so that the user accounts are transmitted."

Thus, Shibata involves a user manually inputting certain information such as a user ID, password, or received account information, which account information may have been received in a letter, in order to access a server via the Internet. The Applicants submit that this is not the same field of endeavor as Faccin, and that even if combined, would modify Faccin to require manual entry of a user ID or password to identify the person using the mobile node.

"User identification number" is described as a "P-TMSI, IMSI, electronic serial number (ESN), MIN, . . ." in the present application. This is different than the manually input user ID or password described in Shibata.

Thus, Faccin and Shibata, whether taken alone or in combination do not disclose or suggest each element of independent claims 1, 22, and 41.

For at least the above noted reasons, the Applicants submit that claims 1, 22, and 41 are allowable over the cited art. As independent claims 1, 22, and 41 are allowable, the Applicants submit that claims 2-11, 23-30 and 42-51, which depend from allowable claims 1, 22, and 41, are therefore also allowable for at least the above noted reasons.

Independent claims 12, 31, and 52 are directed to a method of obtaining secure registration by a memory module (UICC) in a multicast-broadcast-multimedia system (MBMS) / a memory module / a computer readable medium embodying a method of obtaining secure registration by a memory module (UICC) in a multicast-broadcast-multimedia system (MBMS) comprising at least the step of, means for:

receiving from the UICC a temporary registration key (RGK) based on the random number and a user identification number.

Thus, for reasons similar to those discussed above for claims 1, 22, and 41, the Applicant submits that independent claims 12, 31, and 52 are likewise allowable. As claims 1, 22, and 41 are allowable, the Applicant submit that claims 13-21, 32-40, and 53- 61, which depend from independent claims 12, 31, and 52, are therefore also allowable for at least the above noted reasons.

Dependent claims 2-11, 13-21, 23-30, 32-40, 42-51, and 53-61 are further separately allowable as they separately recite a combination of subject matter that is not disclosed or suggested by any combination of the cited references. For example, referring to claims 3, 14, 24,

33, 43, and 54, there is no combination of the cited references that disclose or suggest the step of, means for "receiving a provisioning message from a broadcast-multicast service center" or "wherein the PK is extracted from a provisioning message received from a broadcast-multicast service center."

Further, referring to claims 4, 15, 25, 34, 44, and 55, there is no combination of the cited references that disclose or suggest the element wherein the provisioning message is a function of the PK and a permanent registration key.

Referring to claims 5, 26, and 45, there is no combination of the cited references that disclose or suggest the step of, means for extracting the PK from the provisioning message.

Referring to claims 6, 16, 27, 35, 46, and 56, there is no combination of the cited references that disclose or suggest the element wherein the RGK is a function of the RAK, a service identification number and a user identification number.

Referring to claims 7, 17, 28, 36, 47, and 57, there is no combination of the cited references that disclose or suggest the element wherein the RGK is a function of the RAK and a cyclic redundancy code (CRC) computed from the service identification number and the user identification number.

Therefore, based on the foregoing, Applicants respectfully request that the Examiner withdraw the rejection of claims 1-61 under 35 USC § 103(a) as being unpatentable over Faccin in view of Shibata.

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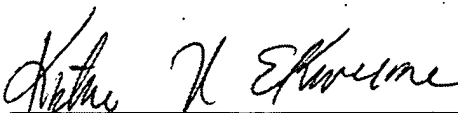
CONCLUSION

In light of these remarks, Applicants submit that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

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